



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,017	09/19/2001	Bryan C. Turner	95-468	8322

23164 7590 08/25/2005

LEON R TURKEVICH
2000 M STREET NW
7TH FLOOR
WASHINGTON, DC 200363307

EXAMINER

HOSSAIN, TANIM M

ART UNIT	PAPER NUMBER
----------	--------------

2145

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,017

Applicant(s)

TURNER ET AL.

Examiner

Tanim Hossain

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-9, 13, 14, 19-21, 25-28, 32 and 33 is/are rejected.
- 7) ☒ Claim(s) 4-6, 10-12, 15-18, 22-24, and 29-31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 13, 14, 19, 20, 21, 25, 27, 28, and 32 are rejected under 35 U.S.C. 102(a) as being anticipated by Hyndman et al (U.S. 6,161,136).

As per claim 13, Hyndman teaches an open protocol network configured for providing network services to a user, the network comprising: a network-enabled user interface device configured for user interaction by at least one of receiving user inputs and displaying data (6; 52-57, 7; 1-7); and a service node configured for configuring the network-enabled user interface device to provide a first network service, the first network service generated based on exchange of service transaction messages by associated service objects including a model object, a view object, and a controller object, the service node configured for: supplying to the network-enabled user interface device at least one of the service objects based on the user interaction capabilities of the network-enabled user interface device (6; 52-57, 7; 1-7), and transferring a selected service object between any one of the service node, the network-enabled user device,

and a second network node based on a prescribed condition and while maintaining a user-perceived continuous service of the first network service (2; 32-50, 4; 10-16).

As per claim 14, Hyndman teaches the network of claim 14, wherein the network enabled user interface device is configured for receiving the controller object from the service node, the controller object during execution by the network enabled user device outputting to the model object a first service transaction message based on a corresponding user input detected by the network-enabled user interface device (6; 52-57, 7; 1-7).

As per claim 19, Hyndman teaches the network of claim 13, wherein the first network service is provided to the user of the network enabled user interface device based on execution of the view object by the network enabled user interface device, the model object by the service node, and the controller object by the second network node (2; 20-67).

As per claim 20, Hyndman teaches a method in an open protocol network configured for providing network services to a user, the network comprising: supplying a first network service to a network-enabled user interface device configured for user interaction by at least one of receiving user inputs and displaying data, the first network service generated based on exchange of service transaction messages by associated service objects including a model object, a view object, and a controller object, the supplying step including supplying at least one of the service objects based on the user interaction capabilities of the network-enabled user interface device (6; 52-64, 7; 1-7); and transferring a selected service object between any one of a service node, the network-enabled user device and a second network node based on a prescribed condition and while maintaining a user-perceived continuous service of the first network service (2; 32-50, 4; 10-16).

As per claim 21, Hyndman teaches the method of claim 20, wherein the supplying step includes supplying the controller object to the network-enabled user interface device, the method further comprising outputting, by the controller object during execution by the network-enabled user interface device, a first service transaction message to the model object based on a corresponding received user input (6; 52-64, 7; 1-7).

As per claim 25, Hyndman teaches the method of claim 20, further comprising providing the network services to the user based on execution of the view object by the network-enabled user interface device, the model object by the service node, and the controller object by the second network node (6; 40-57).

As per claim 27, Hyndman teaches a computer readable medium having stored thereon sequences of instructions for providing selected network services to a network-enabled user interface device, the sequences of instructions including instructions for performing the steps of: supplying a first network service to a network-enabled user interface device configured for user interaction by at least one of receiving user inputs and displaying data, the first network service generated based on exchange of service transaction messages by associated service objects including a model object, a view object, and a controller object, the supplying step including supplying at least one of the service objects based on the user interaction capabilities of the network-enabled user interface device (6; 52-64, 7; 1-7); and transferring a selected service object between any one of a service node, the network-enabled user device, and a second network node based on a prescribed condition and while maintaining a user-perceived continuous service of the first network service (2; 32-50, 4; 10-16).

As per claim 28, Hyndman teaches the medium of claim 27, wherein the supplying step includes supplying the controller object to the network-enabled user interface device, the method further comprising outputting, by the controller object during execution by the network-enabled user interface device, a service transaction message to the model object based on a corresponding received user input (6; 52-64, 7; 1-7).

As per claim 32, Hyndman teaches the medium of claim 27, further comprising instructions for performing the step of providing the network services to the user based on execution of the view object by the network enabled user interface device, the model object by the service node, and the controller object by the second network node (6; 40-57).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hyndman et al. in view of Hatanaka et al (U.S. 5,926,177).

As per claim 1, Hyndman teaches a network-enabled user interface device including: at least one user interaction component of a user input resource configured for receiving user inputs, and a display controller for display of data (column 6, lines 52-57); a network interface configured for receiving, via an open protocol network, information associated with a first network service, the first network service supplied to the user based on interaction exchange of

Art Unit: 2145

service transaction messages between a corresponding group of service objects including a model object, a view object, and a controller object associated with the first network service, the network interface configured for receiving a corresponding one of the service objects based on the at least one user interaction component; (6; 57-64, 7; 1-7); and a controller configured for executing the received one service object for providing the first network service to the user based on the exchange of the service transaction messages (7; 1-7). Hyndman does not specifically teach the termination of the received object based on reception. Hatanaka teaches the closing of received services (column 2, lines 7-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to terminate the service object based on reception of the service as taught by Hatanaka in the system of Hyndman. The motivation for doing so lies in the fact that the object termination would prevent needless commands being executed, since the receiving process has already been completed, and there is no further need for the service object, since the service has already been received. Both inventions are from the same field of endeavor, namely the enhancement of user-interfaces with the use of an MVC paradigm.

As per claim 2, Hyndman-Hatanaka teaches the device of claim 1, wherein the device includes the user input resource as the at least one user interaction component, the network interface configured for receiving the controller object as the corresponding service object, the controller configured for executing the controller object by supplying, via the network interface, a first service transaction message to the model object executed remotely at a prescribed destination on the open protocol network based on a corresponding user input detected by the user input resource (Hyndman: 6; 52-64, 7; 1-7).

As per claim 3, Hyndman-Hatanaka teaches the device of claim 2, wherein the device is configured for providing the first network service based solely on execution of the controller object, wherein the model object and view object are executed remotely relative to the device (Hyndman: 2; 41-50).

As per claim 7, Hyndman-Hatanaka teaches a method in a network-enabled user device, the method including: receiving, via an open protocol network, at least one service object being one of a model object, a view object, and a controller object for a first network service (Hyndman: 2; 32-40); executing the at least one service object for the first network service, by exchanging service transaction messages between the other service objects, based on a corresponding at least one user interaction component, the one user interaction component being one of a user input resource configured for receiving user inputs and a display controller configured for display of data (Hyndman: 2; 32-40); and selectively terminating the received one service object based on reception, via the open protocol network, of a second service object for a corresponding second network service (Hatanaka: 2; 7-10).

As per claim 8, Hyndman-Hatanaka teaches the method of claim 7, wherein the device includes the user input resource, the receiving step including receiving the controller object and the exchanging step including: generating, by the controller object, the first service transaction message for the model object based on a corresponding user input detected by the user input resource (Hyndman: 6; 52-64); and sending via the open protocol network, the first service transaction message to the model object (Hyndman: 6; 52-64).

As per claim 9, Hyndman-Hatanaka teaches the method of claim 8, wherein the executing step includes providing the first network service based solely on execution of the controller

Art Unit: 2145

object, wherein the model object and view object are executed remotely relative to the device (Hyndman: 2; 41-50).

Claims 26 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kovacs (U.S. 2002/0023147).

As per claims 26 and 33, Hyndman teaches the method and medium of claims 20 and 27 respectively, but does not specifically teach the supplying of an instant messaging service. Kovacs teaches a broker for instant messages within the MVC paradigm (paragraph 0073). It would have been obvious to one of ordinary skill in the art at the time of the invention to include an instant messaging service into the MVC paradigm, as taught by Kovacs in the system of Hyndman. The motivation for doing so lies in the fact that instant messaging contributes to an additional communication convenience, which would further diversify Hyndman's invention. Both inventions are from the same field of endeavor, namely the facilitation of communication using an MVC paradigm.

Allowable Subject Matter

Claims 4-6, 10-12, 16-18, 22-24, and 29-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:
The prior art fails to teach or suggest:

- a. Multiple model objects executed both remotely and locally interacting with one another.
- b. The supersession of model objects by other model objects and destination nodes.
- c. The transference of destination nodes to receive model objects.

Response to Arguments

Applicant's arguments filed on June 1, 2005 have fully been considered, but are not persuasive.

a. Applicant asserts that there is no disclosure or suggestion regarding the transference of objects between servers, clients, or other network nodes, while maintaining continuity in the system. However, Hyndman teaches the movement of objects and data throughout the network, which constitutes the movement of selected objects between nodes (column 2, lines 32-40; column 5, lines 56-64; column 6, lines 34-39). Continuity is maintained in light of the fact that the user may proceed with further use of the system, and no limitation has been made in this regard whatsoever.

b. Hatanaka, in column 2, lines 11-27, teaches the controller having an ability to selectively terminate the received service object based on the reception of a second service object, corresponding to a second network service. In switching to the detailed view, the controller is selectively used to terminate the previous view, in light of the existence of the second service object, where the detailed view is a different service. Hatanaka discloses this teaching as prior art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tanim Hossain
Patent Examiner
Art Unit 2145


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER